

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**UNITED STATES OF AMERICA**

**VERSUS**

**CRIMINAL ACTION NO. 1:05CR17-P-D**

**JULIAN MINGO**

**ORDER**

This cause is before the Court on the defendant's Motion for a Continuance [11-1]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for June 6, 2005. Counsel for defendant seeks a continuance in order to complete additional investigation, to consult more fully with his client and to explore the possibility of retaining an expert to assist in the defense of this case. The government does not object to the requested continuance. Based on the foregoing, the Court finds that the defendants' motions are well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from June 6, 2005 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford defendants additional time to investigate and prepare their defenses to the charges at issue. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendants in a speedy trial.

**IT IS, THEREFORE, ORDERED AND ADJUDGED that**

1. The defendant's Motion for Continuance [11-1] is GRANTED;

2. That the trial of this matter is continued until Monday, August 8, 2005 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from June 6, 2005 until August 8, 2005 is excluded as set out above;
4. That the deadline for filing pretrial motions is July 18, 2005;
5. That the deadline for submitting a plea agreement is July 25, 2005.

SO ORDERED, this the 20th<sup>th</sup> day of May, 2005.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE